

DICKINSON WRIGHT PLLC
MICHAEL N. FEDER
 Nevada Bar No. 7332
 E-mail: mfeder@dickinson-wright.com
GABRIEL A. BLUMBERG
 Nevada Bar No. 12332
 Email: gblumberg@dickinson-wright.com
 8363 West Sunset Road, Suite 200
 Las Vegas, Nevada 89113-2210
 Tel: (702) 382-4002
 Fax: (702) 382-1661
Attorneys for DriveTime Automotive, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DRIVETIME AUTOMOTIVE, INC.,

Plaintiff,

vs.

MARLON DEGUZMAN, an individual;
 SHAKER RADWAN, an individual; K & S
 AUTO SALES, INC., a California corporation;
 TEXAS FINE CARS, INC., a Texas corporation;
 CAR SHOW MOTORS, a California entity; and
 DEMETRI JONY (d/b/a Car Show Motors), an
 individual,

Defendants.

CASE NO. 2:14-cv-782-RFB-VCF

**JOINT STIPULATION AND [PROPOSED]
 ORDER TO STAY PROCEEDINGS
 UNTIL A DECISION IS RENDERED ON
 [DKT 54] THE RADWAN DEFENDANTS'
 OBJECTION TO [DKT 51] THE REPORT
 AND RECOMMENDATION OF THE
 MAGISTRATE JUDGE**

Plaintiff DriveTime Automotive, Inc. ("DriveTime"), by and through its counsel, the law firm of Dickinson Wright PLLC; Defendant Marlon DeGuzman ("DeGuzman"), by and through his counsel, the law firm of Mark R. Smith, P.C.; and Defendants Shaker Radwan, K & S Auto Sales, Inc., Texas Fine Cars, Inc., Car Show Motors, Inc., and Demetri Jony (collectively the "Radwan Defendants"), by and through their counsel, the law firm of Garcia-Mendoza & Snavely, pursuant to Local Rule 7-1, hereby stipulate and agree that this matter should be stayed pending resolution of [Dkt. 54] The Radwan Defendants' Objection to [Dkt. 51] The Report and Recommendation of the Magistrate Judge (the "Objection").

There is good cause for this stipulation. On February 6, 2015, DriveTime filed [Dkt 39] Plaintiff's Emergency Motion for Order to Show Cause Why Defendants Should Not be Held in

1 Contempt of the Court's Order (the "OSC Motion"). On February 25, 2015, the Radwan
2 Defendants submitted an opposition the OSC Motion [Dkt. 41]. DriveTime filed its Reply in
3 support of the OSC Motion on March 5, 2105 [Dkt. 42] and Judge Ferenbach held a hearing on
4 April 2, 2015. Judge Ferenbach continued the hearing to April 13, 2015 and then issued his
5 Report and Recommendation [Dkt. 51] on April 30, 2015, recommending that the Radwan
6 Defendants' Answers be stricken and defaults be entered against them. The Radwan Defendants
7 filed their Objection [Dkt. 54] on May 18, 2015 and DriveTime filed its Response to the
8 Objection [Dkt. 61] on June 4, 2015. To date, the Court has not ruled upon Judge Ferenbach's
9 Report and Recommendation.

10 The discovery cutoff date is July 21, 2015 and the dispositive motion deadline is August
11 28, 2015. Without a ruling on the Radwan Defendants' pending Objection, the parties will be
12 unable to discern whether further discovery or dispositive motions are necessary or even
13 appropriate. If the Objection is denied, a default will be entered against the Radwan Defendants
14 and no further discovery will be necessary with respect to the Radwan Defendants. In contrast, if
15 the Objection is granted, further discovery will be necessary and the parties would be prejudiced
16 by having had the discovery period close. Thus, this stay is not requested for any

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improper purpose or delay, but rather for good cause.

RESPECTFULLY SUBMITTED,

DATED this 17th day of July 2015.

DICKINSON WRIGHT PLLC

/s/ Gabriel A. Blumberg

MICHAEL N. FEDER

Nevada Bar No. 7332

GABRIEL A. BLUMBERG

Nevada Bar No. 12332

8363 West Sunset Road, Suite 200

Las Vegas, Nevada 89113-2210

Tel: (702) 382-4002

Attorneys for Drive Time Automotive, Inc.

DATED this 17th day of July 2015.

LAW OFFICES OF MARK R. SMITH, P.C.

/s/ Mark R. Smith

MARK R. SMITH

Nevada Bar No. 11872

6166 S. Sandhill Road, Suite 140

Las Vegas, NV 89120

Tel: (702) 518-7625

Attorneys for Marlon DeGuzman

DATED this 17th day of July 2015.

GARCIA-MENDOZA & SNAVELY, CHTD.

/s/ Luther M. Snavely, III

EVA GARCIA-MENOZA

Nevada Bar No. 1779

LUTHER M. SNAVELY, III

Nevada Bar No. 5507

501 South Seventh Street

Las Vegas, NV 89101

Tel: (702) 384-8484

Attorneys for the Radwan Defendants

IT IS SO ORDERED:



UNITED STATES ~~DISTRICT~~ JUDGE

Magistrate

July 24, 2015

DATED: _____